

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

VANDYKE JOHNSON,

Plaintiff,

-against-

PAUL J. SCHUCHERT, et al.,

Defendants.

1:22-cv-3787 (JLR)

ORDER OF SERVICE

JENNIFER L. ROCHON, United States District Judge:

Plaintiff, proceeding *pro se*, brings this action under Title VII of the Civil Rights Act of 1964 (“Title VII”), 42 U.S.C. §§ 2000e to 2000e-17, the New York State Human Rights Law, N.Y. Exec. Law §§ 290 to 297, and the New York City Human Rights Law, N.Y.C. Admin. Code §§ 8-101 to 131. He alleges that his former employer discriminated against him based on his race and color. By order dated June 23, 2022 (ECF No. 3), the Court granted Plaintiff’s request to proceed *in forma pauperis* (IFP).

DISCUSSION

Because Plaintiff has been granted permission to proceed IFP, he is entitled to rely on the Court and the U.S. Marshals Service to effect service.¹ *Walker v. Schult*, 717 F.3d. 119, 123 n.6 (2d Cir. 2013); *see also* 28 U.S.C. § 1915(d) (“The officers of the court shall issue and serve all

¹ Although Rule 4(m) of the Federal Rules of Civil Procedure generally requires that a summons be served within 90 days of the date the complaint is filed, Plaintiff is proceeding IFP and could not have served summonses and the Complaint until the Court reviewed the Complaint and ordered that summonses be issued. The Court therefore extends the time to serve until 90 days after the date summonses are issued.

process . . . in [IFP] cases.”); Fed. R. Civ. P. 4(c)(3) (the court must order the Marshals Service to serve if the plaintiff is authorized to proceed IFP).

To allow Plaintiff to effect service on Defendants Columbia University, UAW Local 2110, Paul J. Schuchert, Juan Alberto Hernandez, and Rene Casiano through the U.S. Marshals Service, the Clerk of Court is instructed to fill out a U.S. Marshals Service Process Receipt and Return form (“USM-285 form”) for each Defendant. The Clerk of Court is further instructed to issue summonses and deliver to the Marshals Service all the paperwork necessary for the Marshals Service to effect service upon Defendants.

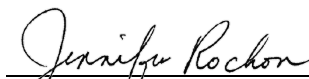
If the Amended Complaint is not served within 90 days after the date the summonses are issued, Plaintiff should request an extension of time for service. *See Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012) (holding that it is the plaintiff’s responsibility to request an extension of time for service). Plaintiff must notify the Court in writing if his address changes, and the Court may dismiss the action if Plaintiff fails to do so.

CONCLUSION

The Clerk of Court is respectfully directed to issue summonses for Columbia University, UAW Local 2110, Paul J. Schuchert, Juan Alberto Hernandez, and Rene Casiano, complete the USM-285 forms with the addresses for each Defendant, and deliver to the U.S. Marshals Service all documents necessary to effect service. The Clerk of Court is also directed to mail an information package to Plaintiff.

Dated: October 31, 2022
New York, New York

SO ORDERED.


JENNIFER L. ROCHON
United States District Judge

DEFENDANTS' SERVICE ADDRESSES

1. Columbia University
202 Low Library
535 West 116th Street
New York, NY 10032
2. UAW Local 2110
350 West 31st Street, 4th Floor
New York, NY 10001
3. Paul J. Schuchert
Chief Administrator Officer
Associate Dean, Administrative Affairs
Columbia University Graduate School of Journalism
Pulitzer Hall
2950 Broadway
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4. Juan Alberto Hernandez
Former Manager of Building Operations
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5. Rene Casiano Vice President
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